

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANGUS CHEN, on behalf of himself and a class
and collective of similarly situated individuals,

Plaintiff,

-against-

A & L OF NY CORP d/b/a IZAKAYA TORIBAR,
and SCOTT LEE, FRANK AHN, and JOHN DOE
AHN, in their individual and professional
capacities,

Defendant.

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DATE FILED: 10/13/2022

1:22-cv-03139-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The parties have reported that they have reached a settlement of this matter. [ECF No. 23.] The claims in this case include claims arising under the Fair Labor Standards Act. In light of the requirements of *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), the parties are directed to file on or before **November 14, 2022**, a joint letter with sufficient information to enable the Court to evaluate whether the settlement is fair and reasonable.


The letter should address the claims and defenses, the defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the plaintiffs' case and the defendants' defenses, any other factors that justify the discrepancy between the potential value of plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint letter should also explain the attorney fee arrangement, attach a copy of the retainer agreement, and provide information detailing the actual attorney's fees incurred. Finally, a copy of the settlement agreement itself must accompany the joint letter or motion.

All other deadlines and conferences in this case are adjourned *sine die*.

SO ORDERED.

Date: October 13, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge